

REMARKS

I. Status of the Application

By the present amendment, Applicant amends claims 1, 3, 21, and 23-24. Applicant also cancels claims 2, 4 and 22 without prejudice or disclaimer. Claims 1, 3, 5-21 and 23-28 are all the claims pending in the Application, with claims 1 and 21 being in independent form. Claims 1-3, 15-19 and 21 have been rejected.

The present amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

II. Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 4-14, 20 and 22-28 would be allowed if rewritten in independent form. Accordingly, Applicant hereby amends claim 1 to incorporate all the recitations of claims 2 and 4, and hereby amends claim 21 to incorporate all the recitations of claim 22. Thus, amended claim 1 corresponds to claim 4 rewritten in independent form, and amended claim 21 corresponds to claim 22 rewritten independent form. As such, Applicant respectfully submits that amended claims 1 and 21 are immediately allowable. Furthermore, Applicant submits that the dependent claims 3, 5-20 and 23-28 are immediately allowable *at least* by virtue of their dependency.

III. Double Patenting Rejections

The Examiner has rejected claim 1 under the judicially created doctrine of non-statutory obviousness-type double patenting as being unpatentable over claim 26 of U.S. Patent No. 6,979,095 to Min et al. (hereinafter “Min”). Since claim 1 has been amended, as set forth above,

to incorporate all the recitations of claims 2 and 4, Applicant submits that the Examiner's rejection in this regard is now moot.

IV. Claim Rejections under 35 U.S.C. § 102

Claim 21 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,700,634 to Taniguchi et al. (hereinafter "Taniguchi"). Since claim 21 has been amended, as set forth above, to incorporate all the recitations of claim 22, which the Examiner has indicated as being allowable if rewritten in independent form, Applicant submits that claim 21 is immediately allowable. Thus, Applicant respectfully requests that the Examiner withdraw these rejections.

V. Claim Rejections under 35 U.S.C. § 103

Claims 1-3 and 15-19 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,048,071 to Sawayama (hereinafter "Sawayama"). Since claim 1 has been amended, as set forth above, to incorporate all the recitations of claims 2 and 4, and since the Examiner has indicated that claim 4 would be allowable if rewritten in independent form, Applicant submits that claim 1 is immediately allowable. Further, Applicant submits that claims 2-3 and 15-19 are allowable *at least* by virtue of their dependency. Thus, Applicant respectfully requests that the Examiner withdraw these rejections.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment Under 37 C.F.R. § 1.111
U.S. Serial No. 10/700,050

Attorney Docket No.: Q78037

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

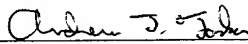
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER



Andrew J. Taska
Registration No. 54,666

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